

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Bernadine Babien AUSA

20 CV 2281

Write the full name of each plaintiff.

(Include case number if one has been assigned)

-against-

Hilton Grand Vacations

Do you want a jury trial?

Yes No

or mediation

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

First Name: Bernadine Middle Initial: B Last Name: AVILA

Street Address: 314 Sutton Place

County, City: Popwood State: NJ Zip Code: 07640

Telephone Number: 917-334-7463 Email Address (if available): Babenstar@HOTMAIL.COM

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: Hilton Grand Vacations
Name:

Address where defendant may be served:

1350 Ave of the Americas
County, City: NEW YORK State: NY Zip Code: 10019

Defendant 2:
Name:

Address where defendant may be served:

County, City: State: Zip Code:

Defendant 3:

Hilton Grand Vacations (Hilton Hotel)

Name 1350 Ave of the Americas

Address where defendant may be served
NYC NY 100 19

County, City NYC State NY Zip Code 100 19

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:

Name Hilton

Address 1350 Ave of the Americas NYC 100 19

County, City NYC State NY Zip Code 100 19

III. CAUSE OF ACTION

A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

race: _____

color: _____

religion: _____

sex: _____

national origin: _____

42 U.S.C. § 1981, for intentional employment discrimination on the basis of race

My race is: _____

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: 1955

Rehabilitation Act of 1973, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status

New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status

Other (may include other relevant federal, state, city, or county law):

FMLA

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- did not hire me
- terminated my employment
- did not promote me
- did not accommodate my disability
- provided me with terms and conditions of employment different from those of similar employees
- retaliated against me
- harassed me or created a hostile work environment
- other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

When (was on FMLA
Aug 25 - Feb 12 2019 / was
2018
fire on Dec 31
due to new
mgrst

They terminated my employment on Dec 31 along with my
colleague Cheryl Plasencia Jr (production). I send in
the required number of hours going & exceeding for the minimum
But they were not counted due to lateness of 1 on New years
from police lateness of the other thru staying late
under 90 minutes even though they told me it was fine

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

I was also let go under
protection of FMLA

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

Yes (Please attach a copy of the charge to this complaint.)

See attached

When did you file your charge? _____

No

Have you received a Notice of Right to Sue from the EEOC?

Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? *Dec 6 2019*

See attached

When did you receive the Notice? *Jan 2, 2020*

No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

- direct the defendant to hire me
- direct the defendant to re-employ me
- direct the defendant to promote me
- direct the defendant to reasonably accommodate my religion
- direct the defendant to reasonably accommodate my disability

direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

*yes I believe I was fired unjustly,
and I was protected by FMLA at the
time
and due to age discrimination.*

*I have been struggling financially since this
happened. I was out of work for 4 months*

*I am working now for Marriott but making
20,000 + less because of a different commission
scale and also due to coronavirus cancellations*

Littler Mendelson, PC
900 Third Avenue
New York, NY 10022-3298

December 6, 2019

Rina Bersohn
212.471.4410 direct
212.583.9600 main
rbersohn@littler.com

VIA E-MAIL (DOLANDA.YOUNG@EEOC.GOV)

Dolanda Young
Investigator
New York District Office
U.S. Equal Employment Opportunity Commission
33 Whitehall Street, 5th Floor
New York, NY 10004

Re: Bernadine Babien-Avila v. Hilton Grand Vacations
Charge No.: 520-2019-02669

Dear Ms. Young:

This letter and the attached documentation constitute the Statement of Position of Respondent Hilton Grand Vacations (“HGV”)¹ in response to the Charge of Discrimination (“Charge”) filed by its former employee Bernadine Babien-Avila (“Ms. Avila”).² In her Charge, Ms. Avila alleges that she experienced age and disability discrimination. As set forth in further

¹ The entity that employed Ms. Avila is Hilton Resorts Corporation. Although HGV is referenced herein, Hilton Resorts Corporation was Ms. Avila’s employer.

² The information and supporting documentation submitted herewith, and that which may be submitted hereafter, are strictly confidential. Such information and documentation shall not be used for any purpose other than the resolution of the current Charge and shall not be disseminated to any person without HGV’s prior written approval. See 42 U.S.C. §§ 2000e-5(b), 2000e-8(e); 29 C.F.R. §§ 1601.22, 1601.26; and 56 Fed. Reg. 10847. In addition, this response is based upon our understanding of the facts and the information reviewed thus far. Although there has not been an opportunity for formal discovery or a complete formal investigation, this response is submitted for the purpose of aiding the EEOC in its investigation and facilitating the informal resolution of this matter. This response, while believed to be accurate, does not constitute an affidavit or a binding statement of HGV’s legal position, nor is it intended to be used as evidence of any kind in any administrative or court proceeding in connection with Ms. Avila’s allegations. Because additional facts likely would be uncovered through discovery or following a full investigation, HGV in no way waives its right to present new or additional information. Moreover, by responding to the Charge, HGV does not waive, and hereby preserves, any and all substantive and procedural defenses that may exist to the Charge and to Ms. Avila’s allegations. HGV requests that any efforts to contact its current employees be directed to its counsel.

Ms. Dolanda Young
December 6, 2019
Page 2

detail below, Ms. Avila's allegations are entirely without merit, and thus, HGV respectfully requests that the EEOC dismiss Ms. Avila's Charge.

I. FACTUAL BACKGROUND

A. HGV's Operations

HGV is an Orlando, FL-based developer and sales agent for timeshare interests. HGV, through Hilton Resorts Corporation, employs marketing associates who work out of various Hilton properties; their objective is to sell timeshare interests to current hotel guests. Marketing associates must meet certain monthly sales goals; if they fail to meet those goals, then they are subject to discipline, up to and including termination. Periodically, some marketing associates, including Ms. Avila, have been terminated due to their repeated failure to achieve their sales goals and for no other reason.

B. HGV's Relevant Policies

HGV is an equal opportunity employer and expressly prohibits discrimination and harassment on the basis of sex, color, race, religion, national origin, age, disability, veteran status, sexual orientation, gender identity, or any other category protected by law. Any employee who believes that s/he has witnessed or experienced discrimination or harassment based on protected group status must report the matter either to Human Resources or to his or her department head. Employees are assured that they will not be retaliated against for either filing a discrimination or harassment complaint or for participating in the investigation of same. Copies of HGV's equal employment opportunity and anti-harassment policies, which are contained in its Team Member Handbook, as well as Hilton Worldwide's Harassment and Violence Free Workplace Policy ("Policy") are attached hereto as **Exhibit A**. Ms. Avila acknowledged in writing that she had received a copy of the Policy, that she had reviewed it, and that she understood it. Copies of the Acknowledgment Form confirming Ms. Avila's receipt of the Policy as well as an Acknowledgement of Receipt of Team Member Handbook, both of which were executed by Ms. Avila, are attached as **Exhibit B**.

C. Ms. Avila's Employment with HGV

1. General Information

Ms. Avila worked for HGV as an in property contact ("IPC") marketing executive from August 2012 until December 31, 2018. In this role, she was primarily responsible for booking Hilton guests to attend HGV timeshare presentations and for selling such guests mini-vacation packages to HGV resorts. A certain percentage of those individuals whom she scheduled to attend timeshare presentations had to actually attend those presentations in order for her to receive "show

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

March 12 2020 Bernadine Babren Anila
 Dated Plaintiff's Signature
Bernadine Babren Anila
 First Name Middle Initial Last Name
314 Sutton Place
 Street Address Norwood NJ 07648
 County, City 917-334-7463 State Zip Code
Babrenstar @ Hotmail.com
 Telephone Number Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

Yes No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.



United States District Court
Southern District of New York

Pro Se (Nonprisoner) Consent to Receive Documents Electronically

Parties who are not represented by an attorney and are not currently incarcerated may choose to receive documents in their cases electronically (by e-mail) instead of by regular mail. Receiving documents by regular mail is still an option, but if you would rather receive them only electronically, you must do the following:

1. Sign up for a PACER login and password by contacting PACER¹ at www.pacer.uscourts.gov or 1-800-676-6856;
2. Complete and sign this form.

If you consent to receive documents electronically, you will receive a Notice of Electronic Filing by e-mail each time a document is filed in your case. After receiving the notice, you are permitted one "free look" at the document by clicking on the hyperlinked document number in the e-mail.² Once you click the hyperlink and access the document, you may not be able to access the document for free again. After 15 days, the hyperlink will no longer provide free access. Any time that the hyperlink is accessed after the first "free look" or the 15 days, you will be asked for a PACER login and may be charged to view the document. For this reason, *you should print or save the document during the "free look" to avoid future charges.*

IMPORTANT NOTICE

Under Rule 5 of the Federal Rules of Civil Procedure, Local Civil Rule 5.2, and the Court's Electronic Case Filing Rules & Instructions, documents may be served by electronic means. If you register for electronic service:

1. You will no longer receive documents in the mail;
2. If you do not view and download your documents during your "free look" and within 15 days of when the court sends the e-mail notice, you will be charged for looking at the documents;
3. This service does *not* allow you to electronically file your documents;
4. It will be your duty to regularly review the docket sheet of the case.³

¹ Public Access to Court Electronic Records (PACER) (www.pacer.uscourts.gov) is an electronic public access service that allows users to obtain case and docket information from federal appellate, district, and bankruptcy courts, and the PACER Case Locator over the internet.

² You must review the Court's actual order, decree, or judgment and not rely on the description in the email notice alone. See ECF Rule 4.3

³ The docket sheet is the official record of all filings in a case. You can view the docket sheet, including images of electronically filed documents, using PACER or you can use one of the public access computers available in the Clerk's Office at the Court.

500 PEARL STREET | NEW YORK, NY 10007
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

PRO SE INTAKE UNIT: 212-805-0175

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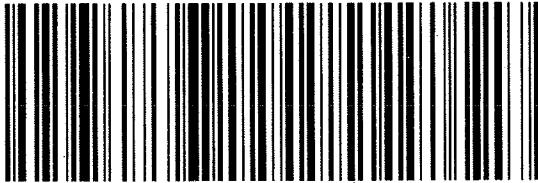
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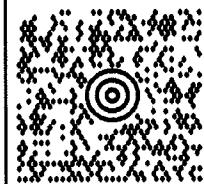
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The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

PLAINTIFFS
Bernadine Babren AVILA

DEFENDANTS

Hi Hm Grand Vacations

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

N/A

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No

Yes

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 1367 HEALTHCARE/			<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	LABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 365 PERSONAL INJURY	21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	REAPPORTIONMENT
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	28 USC 157	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE	INJURY PRODUCT LIABILITY			<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 820 COPYRIGHTS		<input type="checkbox"/> 450 COMMERCE
	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 460 DEPORTATION
	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY		<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> 840 TRADEMARK		<input type="checkbox"/> 480 CONSUMER CREDIT
	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 385 PROPERTY DAMAGE		<input type="checkbox"/> SOCIAL SECURITY	<input type="checkbox"/> 490 CABLE/SATELLITE TV
		PRODUCT LIABILITY	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT		
<input type="checkbox"/> 160 STOCKHOLDERS SUITS			<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> PRISONER PETITIONS	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 862 BLACK LUNG (923)		
<input type="checkbox"/> 195 PRODUCT LIABILITY	<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 863 DIWC/DIWV (405(g))	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 871 IRS-THIRD PARTY	26 USC 7609	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<i>Age DISCIMIN</i> <i>slim</i>		<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT (ERISA)		
ACTIONS UNDER STATUTES					
	<input type="checkbox"/> CIVIL RIGHTS	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)		<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 871 IRS-THIRD PARTY		<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT
REAL PROPERTY					
	<input type="checkbox"/> 441 VOTING		<input type="checkbox"/> 462 NATURALIZATION APPLICATION		<input type="checkbox"/> 896 ARBITRATION
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> PRISONER CIVIL RIGHTS	<input type="checkbox"/> 465 OTHER IMMIGRATION ACTIONS		<input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 443 HOUSING/		<input type="checkbox"/> 550 CIVIL RIGHTS		<input type="checkbox"/> 900 CONSTITUTIONALITY OF STATE STATUTES
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> ACCOMMODATIONS	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT		
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER			
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY		<input type="checkbox"/> 448 EDUCATION			
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY					

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Check if demanded in complaint:

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

JUDGE _____ DOCKET NUMBER _____

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN x IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF <input type="checkbox"/> 13 <input type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input type="checkbox"/> 15	DEF <input type="checkbox"/> 16 <input type="checkbox"/> 16
CITIZEN OF ANOTHER STATE	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 12	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input checked="" type="checkbox"/> 14 <input checked="" type="checkbox"/> 4	FOREIGN NATION		

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Bernadine Bohen AVCA Bergen County
314 Sutton Place New York NY 07648

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Hilton Grand Vacations
1350 6th Ave
NYC 10019

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE SIGNATURE OF ATTORNEY OF RECORD ADMITTED TO PRACTICE IN THIS DISTRICT

RECEIPT # NO YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)